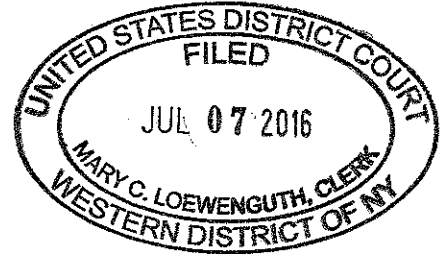


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



PAULA M. FERRARI,

Plaintiff,

v.

ORDER

15-CV-6445

CAROLYN W. COLVIN,

Defendant.

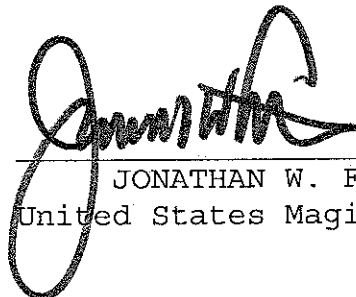
Plaintiff Paula Ferrari (hereinafter "plaintiff") brings the instant action pursuant to 42 U.S.C. § 405(g) to review a decision of the Commissioner of Social Security denying her application for Social Security Disability benefits. See Complaint (Docket # 1). Presently before the Court are the parties' competing motions for judgment on the pleadings pursuant to Rule 12(c) of the Federal Rules of Civil Procedure. See Dockets ## 9, 13. On July 6, 2016, a hearing was held and arguments were heard from counsel on the motions. At the conclusion of the hearing, the Court read a detailed Decision and Order into the record. For the reasons set forth in the Court's oral Decision and Order, it is hereby

ORDERED that the Commissioner's motion for judgment on the pleadings (Docket # 13) is denied; and it is further

ORDERED that plaintiff's motion for judgment on the pleadings (Docket # 9) is granted only insofar as remanding this

matter back to the Commissioner for further proceedings consistent with the findings made on the record during the July 6th hearing. The Court finds that the administrative law judge ("ALJ") did not properly evaluate the expert opinion evidence regarding plaintiff's psychiatric impairments, specifically assigning "little weight" to Dr. Finnity's expert opinion that plaintiff was unable to relate to others, maintain a regular schedule or appropriately deal with stress in a competitive work environment. The Commissioner shall reassess the evidence regarding plaintiff's non-exertional impairments and determine whether those impairments, when considered in conjunction with plaintiff's exertional limitations, prevent her from engaging in competitive full-time employment. Plaintiff is advised to fully develop the record and provide to the Commissioner reports from treating doctors, including an RFC analysis by plaintiff's treating physician, Dr. Katheryn T. Vullo, encompassing both exertional and non-exertional impairments.

SO ORDERED.



JONATHAN W. FELDMAN
United States Magistrate Judge

Dated: July 7, 2016
Rochester, New York